

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE NATIONAL RETIREMENT  
FUND,

Plaintiffs,

-against-

LE PERIGORD, INC. d/b/a LE PERIGORD  
RESTAURANT,

Defendant.

ONLINE  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 121619  
DATE FILED: 12/16/19

**19-cv-08485 (VB)(JCM)**

**DEFAULT JUDGMENT**

This action having been commenced on September 12, 2019 by filing of a Complaint, and Plaintiffs Trustees of the National Retirement Fund ("Plaintiffs") having served copies of the Summons and Complaint upon Le Perigord, Inc. d/b/a Le Perigord Restaurant ("Defendant Le Perigord"), a New York corporation, on October 18, 2019 by personal service upon Sue Zouky, Authorized Agent in the Office of the Secretary of State of the State of New York, and proof of such service having been filed with the Court on October 31, 2019, and Defendant Le Perigord not having appeared, answered, or otherwise moved with respect to the Complaint, and the time for appearing, answering or moving having expired, and the Court having issued its Order to Show Cause requiring Defendant Le Perigord to show cause before the Court why a Default Judgment should not be entered against Defendant Le Perigord, and the Court having held a hearing pursuant to the Order to Show Cause, and Defendant Le Perigord having failed to appear at the show cause hearing; it is

**NOW, THEREFORE**, upon application of the Plaintiffs and upon reading the Affidavits of Jennifer Oh, Esq., duly sworn the 14<sup>th</sup> day of November 2019, and the Certificate of Ruby J.

Krajick, Clerk of Court, United States District Court for the Southern District of New York, noting the default of Defendant Le Perigord, for failure to appear, answer or otherwise move with respect to the Complaint, it is hereby,

**ORDERED, ADJUDGED AND DECREED**, that Plaintiffs have Judgment against Defendant Le Perigord in the principal amount of \$21,016.92 for audit deficiencies for the period of January 1, 2015 through and including August 31, 2015 as set forth in the July 30, 2019 audit bill, interest through the date of the July 30, 2019 audit bill in the amount of \$1,257.56, post-audit interest computed at one percent (1.00%) per month or part thereof on the audit deficiencies from the July 30, 2019 audit bill through the date of Judgment in the amount of \$1,050.85, liquidated damages at an amount equal to the greater of the total interest due on the audit deficiencies or twenty percent (20.00%) of the audit deficiencies in the amount of \$4,203.38, and costs in the amount of \$400.00, for a total Judgment in the amount of \$27,928.71; and it is further

**ORDERED, ADJUDGED AND DECREED** that interest shall continue to accrue on the amount due under this Judgment at the legal rate as defined in 28 U.S.C. §1961 from the date of entry of this Judgment on 12/16/19, 2019 until the Judgment is fully satisfied.

Dated: 12/16/2019  
White Plains, New York

**SO ORDERED:**



Honorable Vincent Briccetti  
United States District Judge